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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

228

Application Number

10/756,162

Filing Date

JANUARY 12, 2004

First Named Inventor

RICHARD LA POINTE

Art Unit

3711

Examiner Name

UNKNOWN

Attorney Docket Number

BPPSP 1029620

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO/SB/08/A (4 pages) 38 Cited
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	References (221 pgs); Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<div>Remarks</div>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gordon & Rees LLP		
Signature	<i>Katherine Proctor</i>		
Printed name	Katherine Proctor		
Date	May 9, 2005	Reg. No.	31,468

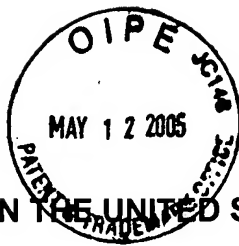
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Signature	<i>Beverly Erdman</i>		
Typed or printed name	Beverly Erdman	Date	5-9-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

RICHARD LAPOINTE

Serial No. 10/756,162

Filed: January 12, 2004

FOR:

EXTENDED-USE BALL STRIKING  
TRAINING DEVICE

Group Art Unit: 3711

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Attention: Examiner

Dear Sir:

Applicant submits herewith references of which he is aware, which he believes may be material to patentability of the invention disclosed and claimed in the above-cited application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

I, Beverly Erdman, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450 on

May 9, 2005  
Mailing Date

Beverly Erdman  
Signature

May 9, 2005  
Date of Signature

Applicant is submitting herewith copies of the references which are set forth on the attached Form PTO/SB/08A. As all relevant parts of the references are in the English language, no explanation of the references is provided herein.

This Information Disclosure Statement is submitted within three (3) months of the filing date of the above-cited application or of the date of entry into the national phase of the application or prior to the mailing date of a first Office Action thereon, whichever has occurred last, such that no fee is required.

Further, while the references provided in this Information Disclosure Statement may be material to patentability pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such.

Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

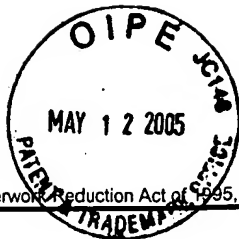
Respectfully submitted,

Dated: May 9, 2005

By: Katherine Proctor  
Katherine Proctor  
Agent for Applicant  
Registration No. 31,468

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Docket No. BPPSP 1029620



Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/756,162
				Filing Date	January 12, 2004
				First Named Inventor	Richard LaPointe
				Group Art Unit	3711
				Examiner Name	Unknown
Sheet	1	of	4	Attorney Docket Number	BPPSP 1029620
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		1,554,409		Coffee, J.A.	09/22/1925
		2,842,366		Fant, J.A.	07/08/1958
		3,006,647		Haskett, E.L.	10/31/1961
		3,143,351		Bertrand, R.R.	08/04/1964
		3,166,316		O'Leary, R.E.	01/19/1965
		3,397,885		Nash, Jr., R.A.	08/20/1968
		3,550,937		Wright, George G., et al.	12/29/1970
		3,630,521		Lingbeek, John, et al.	12/28/1971
		3,703,286		Adkin, William C.	11/21/1972
		3,940,133		Civita, Benny I.	12/24/1976
		3,994,494		Kelley, Burdette C.	11/30/1976
		4,322,075		Hynes, William T.	03/30/1982
		4,415,155		Goudreau, Noel, et al.	11/15/1983
		4,460,172		Hogan, John M.	07/17/1984
Examiner Signature				Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if

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Sheet	2	of	4	Attorney Docket Number	BPPSP 1029620
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		4,664,375		Tetreault, Albert G.	05/12/1987
		4,815,735		McClenny, Carl O.	03/28/1989
		4,898,385		Love, Carl D.	02/06/1990
		4,966,367		Oyarzabal, Hector A.	10/30/1990
		5,040,791		Ratajac, Aleksander, et al.	08/20/1991
		5,048,828		Love, Carl D.	09/17/1991
		5,083,796		Norman, Neville M.	01/28/1992
		5,135,219		McKeon, Tim O., et al.	08/04/1992
		5,244,392		Maursetter, Jeral F.	09/14/1993
		5,340,101		Lawson, Steven R., et al.	08/23/1994
		5,460,380		Ober, Audrey C.	10/24/1995
		5,553,848		Amron, Scott L.	09/10/1996
Examiner Signature				Date Considered	

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				Application Number	10/756,162
				Filing Date	January 12, 2004
				First Named Inventor	Richard LaPointe
				Group Art Unit	3711 Unknown
				Examiner Name	
Sheet	3	of	4	Attorney Docket Number	BPPSP 1029620
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		5,597,159		Haygood, James G., et al.	01/28/1997
		5,618,039		Tsai, Peter, et al.	04/08/1997
		5,683,315		Ring, David Lee	11/04/1997
		5,766,102		Lawson, Steven R., et al.	06/16/1998
		5,776,017		Brawn, Randy W.	07/07/1998
		5,797,810		Sandoval, George R.	08/25/1998
		5,816,945		Todd, Phillip P..	10/06/1998
		5,882,270		Daugherty, William E.	03/16/1999
		6,033,323		McCown, Roger	03/07/2000
		6,296,582		Minnear, Timothy	10/02/2001
		6,514,161		Minnear, Timothy	02/04/2003
		6,716,119		Weisz, Johnathan, et al.	04/06/2004
Examiner Signature				Date Considered	

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<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents.

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				Application Number	10/756,162
				Filing Date	January 12, 2004
				First Named Inventor	Richard LaPointe
				Group Art Unit	3711
				Examiner Name	Unknown
Sheet	4	of	4	Attorney Docket Number	BPPSP 1029620
<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		U-BAT-IT Hit Training Device, Markwort 1997			
Examiner Signature				Date Considered	

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